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THE ALABAMA HISTORICAL SOCIETY
MONTGOMERY

Reprint No. 35

The Nashville Convention of 1850

BY

DALLAS TABOR HERNDON

[From the TRANSACTIONS, 1904, Vol. V]



MONTGOMERY, ALABAMA

1905

Montgomery

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VIII. THE NASHVILLE CONVENTION OF 1850.

BY DALLAS TABOR HERNDON, MOBILE, ALA.

The so-called Nashville convention, which met in the city of Nashville, Tenn., June 4, 1850, was a meeting of Southern men representing a number of the slave-holding States. The chief purpose of this meeting was generally conceded to be the presentation of a united protest from the South against the attempt to exclude Southern men with their slaves from the national territories, which had recently been won from Mexico—in other words, to protest against all forms of the Wilmot proviso.

The advocates of the movement declared in support of their plan that the constitution and the Union were in imminent danger from the threatened aggressions of the solid North; that the continuation of the Union in its integrity depended upon the organization of a great Southern sectional party; and that this was the aim of the convention. On the other hand, those who emphatically opposed the plan, characterized it as a treasonable scheme instigated by ultra-factional leaders in South Carolina and Mississippi to sever the union and form a Southern confederacy. These accusations came largely from members of the Whig party, who further stigmatized it as a second Hartford convention.

The Nashville convention grew directly out of a call made by a State convention held at Jackson, Miss., October 1, 1849. But there is evidence to show that the conception originated with some Southern representatives in Congress, the most conspicuous of whom were Senators Calhoun and Butler, of South Carolina, and Davis and Foote, of Mississippi.

Foote's and Butler's statements made in the Senate on the 8th of May, 1850, in reply to certain adverse criticisms made by Senator Houston of Texas, throws some light on this point.

Houston said in part:¹ "It has been a matter of sincere regret to me that the South, of which I form a part, deem it necessary

¹ Appendix to *Congressional Globe*, 31st Congress, 1st Session, p. 100. See also Von Holst, *John C. Calhoun*, p. 317, *et seq.*

at this time, and in consideration of what seems to be apprehended, to resort to the extraordinary mode of remedying existing evils, and averting others, by a convention. It would not do to start in South Carolina, where discontent has unfortunately in former times existed to an unlucky extent; but the little, gallant, heroic State of Mississippi, upon the brows of whose heroes the laurels are yet verdant and unwithered, must step forward and be the champion, the forerunner of this movement, while the good old State of Tennessee must become the theatre for the organization of the different representatives from the States."

To which Mr. Foote replied:

"I trust he [Houston] did not intend to insinuate as a matter of opinion, still less to make the statement as a matter of fact, derived from any authority, that the sovereign State of Mississippi, in the incipient movement towards the National convention, for which she is responsible, was instigated by South Carolina or her statesmen; or that she acted otherwise than upon her unbiased judgment, without instigation from any quarter."

By December, 1851, Foote had changed his mind and frankly admitted in the following language Calhoun's influence:

"I have heretofore mentioned in this body, that it was through me, in the first instance, that Mr. Calhoun succeeded in instigating the incipient movements in Mississippi, which led to the calling of the Nashville convention. I repeat that statement now, and insist that my fellow citizens of Mississippi, who had been thus induced to assume the responsibility of calling the general convention into being, had a right to expect the earliest information to be given to them of any contemplated departure from the original plan of operation."

This change of view he explained some days later as follows:

"Mr. Calhoun, during his life, with the purest intentions, with no disposition to lead or control our State, had a pretty extensive correspondence with persons there. This is a fact which I did not know at the time I delivered the speech which has been read by the honorable Senator. The truth is, that I never heard, until recently, of the letter which I read the other day of Mr. Calhoun to a fellow-citizen of mine, Mr. Tarpley. I was surprised when I found that such a letter had been written. In the course of last year—and I say it without intending to cast any imputations anywhere—I ascertained by various evidences, that several gentlemen in my own State had been corresponded with by the dis-

tinguished Senator from South Carolina, now no more, on this subject. The letters I have seen, according generally with this one, satisfied my mind that the *modus operandi* of the convention was more or less marked out by his great intellect."

The Mississippi call for the Nashville convention was closely connected with the once famous Southern address,² issued by a number of Southern members of Congress in January, 1849. The Mississippi convention which issued that call referred to "the Address of the Southern delegation in the last Congress, to which the resolutions of the central and primary meetings in the State, and the proceedings of the convention which followed them, may be regarded as the response of Mississippi."

In regard to this address Senator Butler made the following statement in the Senate:

"The gentleman [Houston] has correctly said that the action of Mississippi is referable to, and originated no doubt in, what he calls the Southern address. I state here, on my responsibility as a senator upon this floor, that the meeting of southern members of Congress which resulted in the Address did not originate with South Carolina, nor was it suggested primarily by either of the Senators or Representatives of South Carolina. And so far as regards my distinguished colleague, [Mr. Calhoun,] he knew nothing of it, sir, until the suggestion had been made, and until there had been two or three meetings of these other gentlemen. The call itself for the meeting did not originate with my colleague; and, sir, three meetings occurred before he was consulted; and I am not sure that he was not in the first instance opposed to it. It did not originate with him. My honorable friend from Mississippi [Mr. Foote] and my honorable friend from Virginia [Mr. Hunter] met accidentally in a committee room of this Capitol, and a conversation there occurred; and, sir, with the intrepidity and courage which marked the character of both, they said that matters had assumed such an aspect, and the position of affairs was such, that something of the kind was called for. I say, sir, as a matter of history, that it originated with these two gentlemen, and was adopted afterwards by all, and by the honorable Senator from Texas; and it was no more

² Indeed some such idea seems to have been entertained by Southern congressmen even before the address was published. On November 12, 1848, John Cunningham in a letter to Calhoun said, "Nothing can now arrest so well this fatal tendency as a concerted effort by the leaders of both parties at the South to get up a Southern convention, in compliance with their understanding at Washington and the necessity of the crisis."—Correspondence of J. C. Calhoun, p. 1186.

suggested by my honorable colleague, [Mr. Calhoun], than by that honorable Senator * * * * . The honorable Senator from Tennessee [Mr. Turney] was also at the first meeting."

Although the plan may not have been the conception of Mr. Calhoun, as generally charged at the time, it is a fact that he immediately adopted the idea, and became the leading exponent of it.³ What really took place was essentially this. On the 23d of December, 1848, a caucus of sixty-nine Southern Congressmen was held in the Senate chamber, to consider some plan to avert the dangers that threatened their section. A committee of fifteen was appointed, which committee commissioned five of its members to prepare an address. Mr. Calhoun, who was the guiding spirit of this committee, drew up an "Address of the Southern Delegates in Congress to their Constituents." On the 13th of January, 1849, the Address was reported to the whole committee, and it was finally adopted, Jan. 22nd, nine days later.⁴

In response to this address and in pursuance of its proposed plans the first State convention was held in Jackson, Miss., May 7, 1849. However, this meeting was so poorly attended that the only action taken was to adjourn to the first Monday in October.

Prior to the May Mississippi meeting, Mr. Calhoun wrote certain significant letters to leading men in the various Southern States, which indicate clearly his interest in the movement and his influence on it.

In a letter to John H. Means, of South Carolina, April 13, 1849, he said:

"I am of the impression that the time is near at hand when the South will have to choose between disunion, and submission. I think so, because I see little prospect of arresting the aggres-

³ The following statement, made during the June session of the Nashville convention, is interesting:

"Governor Matthews, of Mississippi, then made an explanation in regard to the origin of the convention—stated that it originated at a county meeting in Mississippi, the proceedings of which had been sent to Mr. Calhoun, and elicited the letter of commendation from him which had been published in the papers. He pronounced the charge that Mr. Calhoun had originated the project, infamously false."—*Republican Banner and Nashville Whig*, June 13, 1850.

⁴ Von Holst's *Constitutional History of the United States*, 1846-1850, pp. 417-22.

sions of the North. If anything can do it, it would be for the South to present with an unbroken front to the North the alternative of dissolving the partnership or of ceasing on their part to violate our rights and to disregard the stipulations of the Constitution in our favor; and that too without delay. * * * But it will be impossible to present such a front, except by means of a convention of the Southern States."

Mr. Hilliard M. Judge, of Alabama, on the 29th of April, replied to a letter from Mr. Calhoun, dated the 15th of March, in this language:

"Your suggestion as to the necessity of a convention of the Southern States is perfectly obvious. We can not get along any other way—the North will not be deterred from her course of wanton aggression by resolutions of the State legislatures, but let the legislatures first declare the principles and the people of the States can give them force and effect in convention."

To Andrew Pickens Calhoun, on the 24th of July, who was at the time in Alabama, he suggested the same plan, and asked whether Alabama might not be induced to make the call, adding that Atlanta would be a good point for the meeting.

In a letter to Col. Tarpley, of Mississippi, dated July 9, 1849, he said:⁵

"FORT HILL, *July 9, 1849.*

"DEAR SIR:

"I am greatly obliged to you for a copy of the proceedings of your meeting. I have read it with a great deal of pleasure.

"You ask me for my opinion, as to the course, which should be adopted by the State convention, in October next. I have delayed answering your letter until this time, that I might more fully notice the developments at the North, before I gave it. They are more and more adverse to us every day. There has not been a single occurrence, since the rising of Congress, which does not indicate on the part of the North a fixed determination to push the abolition question to the last extreme.

"In my opinion there is but one thing that holds out the promise of saving both ourselves and the Union; and that is a Southern convention, and that, if much longer delayed, cannot. It

⁵ This letter is not in the collection edited by Prof. J. F. Jameson for the American Historical Association. It was published in many Southern papers in 1850. See *Republican Banner and Nashville Whig*, May 27, 1850; also *Nashville Free Whig*, June 1, 1850; also see Von Holst, *John C. Calhoun*, p. 327.

ought to have been held this fall, and ought not to be delayed beyond another year. All our movements ought to look to that result. For that purpose, every Southern State ought to be organized, with a central Committee, and one in each county. Ours is already. It is indispensable to produce concert and prompt action. In the mean time, firm and resolute resolutions ought to be adopted by yours and such meetings as may take place before the assembling of the Legislature in the fall. They, when they meet, ought to take up the subject in the most solemn and impressive manner. The great object of a Southern convention should be, to put forth in a solemn manner the causes of our grievances in an address to the other States, and to admonish them, in a solemn manner, as to the consequences, which must follow, if they should not be redressed, and to take measures preparatory to it, in case they should not be. The call should be addressed to all those who were desirous to save the Union and our institutions, and who in the alternative, should it be forced upon us, of submission or dissolving the partnership, would prefer the latter.

"No State could better take the lead in this great conservative movement than yours. It is destined to be the greatest of sufferers, if the abolitionists should succeed; and I am not certain, but by the time your convention meets, or at farthest, your Legislature, that the time will have come to make the call.

"With great respect, I am, &c.,

"J. C. CALHOUN."

As to Calhoun's influence in fostering the Southern convention, we have the testimony of Foote in a personal letter to Calhoun on Sept. 25, just five days before the Mississippi meeting was held:

"I am gratified to have it within my power to inform you that several leading gentlemen of both the two great political parties in Mississippi have promised me at our approaching convention to act upon your suggestion relative to the recommendation of a Southern convention."

This influence is further shown by a letter written to him by A. Hutchinson from Jackson, Miss., on Oct. 5, 1849, just after the Mississippi convention. He writes:⁶

"Two of your letters to General Foote were enclosed to me, to be used according to my discretion on the question of the crisis. That suggesting a Southern convention was shown by me to our

⁶ *Correspondence of J. C. Calhoun*, p. 1206.

mutual friends Chief Justice Sharkey and Judge Clifton, who, although Whigs are well up to Southern rights. We adopted the idea with ardor, but all concurred in opinion, that if we should proceed on a course recommended from S. Carolina, we should fail. The idea of a Southern convention had previously occurred here—but you may well appreciate how much your opinion strengthened, confirmed and animated us. I dropped a note to Gen. Foote stating that it had occurred *in Mississippi* that a Southern convention was the important action required. You will understand this.”

In conformity with the action of the May meeting, the Mississippi convention assembled at Jackson, October 1, 1849, and issued the call for a popular convention of the Southern States at Nashville in June, 1850. Before adjourning it adopted a vigorous set of resolutions,⁷ of which the following is an extract:

⁷ The complete resolutions, with the exception of the long preamble, are as follows:

“1. *Resolved*, That we continue to entertain a devoted and cherished attachment to the Union, but we desire to have it as it was formed, and not as an engine of oppression.

“2. That the institution of slavery in the Southern States is left, by the constitution, exclusively under the control of the States in which it exists, as a part of their domestic policy, which they, and they only, have the right to regulate, abolish or perpetuate as they may severally judge expedient; and that all attempts, on the part of Congress, or others, to interfere with this subject, either directly or indirectly, are in violation of the constitution, dangerous to the rights and safety of the South, and ought to be promptly resisted.

“3. That Congress has no power to pass any law abolishing slavery in the District of Columbia, or to prohibit the slave trade between the several States, or to prohibit the introduction of slavery into the Territories of the United States; and that the passage by Congress of any such law would not only be a dangerous violation of the constitution, but would afford evidence of a fixed and deliberate design, on the part of that body, to interfere with the institution of slavery in the States.

“4. That we would regard the passage by Congress of the ‘Wilmot Proviso,’ (which would in effect, deprive the citizens of the slave-holding States of an equal participation in the Territories acquired equally by their blood and treasure,) as an unjust and insulting discrimination—to which these States cannot, without political degradation, submit; and to which this convention, representing the feelings and opinions of the people of Mississippi, solemnly declare they will not submit.

“5. That the passage of the Wilmot Proviso, or of any law abolishing slavery in the District of Columbia, by the Congress of the United States, would, of itself, be such a breach of the Federal compact as, in that event, will make it the duty, as it is the right of the slave-holding States, to take care of their own safety, and to treat the non-slave-holding States as enemies to the slave-holding States and their domestic institutions.

“6. That the legislature is hereby requested to pass such laws as may, in their opinion, be best calculated to encourage the emigration of citizens

“(7) That, in view of the frequent and increasing evidence of the determination of the people of the non-slave-holding States, to disregard the guaranties of the Constitution, and to agitate the subject of slavery, both in and out of Congress, avowedly for the purpose of effecting its abolition in the States; and, also, in view of the facts set forth in the late ‘Address of the Southern Members of Congress,’ this convention proclaims the deliberate conviction that the time has arrived when the Southern States should take counsel together for their common safety; and that a convention of the slave-holding States should be held

of the slave-holding States, with slaves to the new Territories of the United States.

“7. That, in view of the frequent and increasing evidence of the determination of the people of the non-slave-holding States, to disregard the guaranties of the constitution, and to agitate the subject of slavery, both in and out of Congress, avowedly for the purpose of effecting its abolition in the States; and, also, in view of the facts set forth in the late ‘Address of the Southern Members of Congress,’ this convention proclaims the deliberate conviction that the time has arrived when the Southern States should take counsel together for their common safety; and that a convention of the slave-holding States should be held at Nashville, Tenn., on the first Monday in June next, to devise and adopt some mode of resistance to these aggressions; and that this convention do appoint twelve delegates and twelve alternates—being double the number of our Senators and Representatives in Congress—to attend such convention, and that the other slave-holding States be invited to appoint delegates agreeably to the same ratio of representation.

“8. That in the language of an eminent Northern writer and patriot—‘The rights of the South in African service, exist not only *under but over* the constitution. They existed before the government was formed. The constitution was rather sanctioned by them, than they by the constitution. Had not that instrument admitted the sovereignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their dates, stronger in their claim, and holier in their nature, than any other which the constitution can boast. Those rights may not be changed,—even by a change of the constitution. They are out of the reach of the nation, as a nation. The confederacy may dissolve and the constitution pass away, but those rights will remain unshaken—will exist while the South exists—and when they fall, the South will perish with them.’

“9. That to procure unity and promptness of action in this State, this convention recommends that a Central or State association be formed at the capitol, and affiliated county associations within the several counties of the State.

“10. That we recommend to the legislature of this State, that at its next session, a law be enacted, making it the duty of the governor of the State, by proclamation, to call a general convention of the State, and to issue writs of election based upon the ratio of representation in the State legislature, upon the passage by congress, of the ‘Wilmot Proviso,’ or any law abolishing slavery in the District of Columbia, or prohibiting the slave trade between the States, to take into consideration the act of aggression, and the mode and measure of redress.

“11. That a committee of six be chosen by the convention to prepare an address to the people of the slave-holding States.”—*The Mississippian*, Jackson, Miss., Oct. 5, 1849.

at Nashville, Tenn., on the first Monday in June next, to devise and adopt some mode of resistance to these aggressions; and that this convention do appoint twelve delegates and twelve alternates—being double the number of our senators and representatives in Congress to attend such convention, and that the other slave-holding States be invited to appoint delegates agreeably to the same ratio of representation.”

Also an address to the people of the South was drawn up and adopted, from which the following extracts are taken:⁸

“This controversy is a most alarming one to every lover of the Union—its blessings and glories. It is a dispute between fourteen States on the one side and sixteen States on the other side, or of fifteen on each side, if Delaware should fraternize with the South. Threats of force on either side can never settle the controversy by intimidation. The passions of the parties may be good servants, but are bad masters. Interest, justice, humanity, patriotism—the love of the Union, a sense of its great advantages and the evils of disunion—the spirit of a past generation of our common ancestors, who achieved our independence, framed the constitution, ratified it, and formed the Union—must come to the settlement of this question in all the States. * * *

“The Union must and will be preserved. The slave States, in resisting such dangerous and destructive usurpations of the Federal government, are defending the constitution and the Union. Their position is wholly defensive—defensive of their domestic relations, and their private rights of property—defensive of their laws, upon which these domestic relations and rights of property are founded—defensive of their social and political existence as States; defensive of the constitution and the Union—defensive of law, order and good government—of the right of the people to govern themselves, by governments and laws of their own making, throughout the world. It is a cause which cannot fall before the social philosophy.

“But should the non-slave States combine to enforce anti-reclamation acts, and continue to pass laws to prevent the extension of slavery into the Territories—should they further also attempt to abolish it in the District of Columbia, and in all places purchased for needful buildings in slave States—should they also attempt, by an amendment of the constitution, to abolish it in the slave States themselves—what protection have the slave States against these aggressions, and these dangerous usurpations of undelegated power, under a constitution by which they ought to be enabled both to protect themselves and possibly save the

⁸ *Congressional Globe*, 31st Congress, 1st Session, p. 578.

Union? In discussing this subject, with a view to urge the States to ratify and establish the constitution, both Mr. Hamilton and Mr. Madison argued that the States, as organized communities, could successfully resist all such aggressions. * * *

"If the sixteen non-slave States (if Delaware be included,) because by accident they now exceed the number of the slave States by two, and can send a majority of four Senators to Congress, although the slave States, at the ratification of the constitution outnumbered them by eleven, and because, also, they accidentally by their population, have a larger share of representative power to enable them to secure a majority in the House of Representatives, and to elect a president—if, from these accidental advantages, they determine, by a sectional combination, to elect a majority of Free Soil and Abolition Senators and Representatives, and a Free Soil and Abolition president, and thus to make the Federal government an engine, step by step, to destroy slavery in the fourteen slave States—first, by excluding slavery from the Territories, in order that, by admitting new States into the Union, they may increase the number of non-slave States to three-fourths; second, to abolish slavery in the District of Columbia, or in all places where Congress may exercise exclusive legislation; and lastly, to consummate the course of tyranny and usurpation by a change of the constitution, and the delegation of an express power to abolish slavery in all the slave States—what means of resistance have the fourteen slave States to secure their domestic relations, their property, their equality of rights, guaranteed to be inviolable by their constitutional bill of rights, and their existence and independence as sovereign States, and equal members of the confederacy? If the alternative presented by the non-slave States be a dissolution of their union with the slave States, or the abolition of slavery in the slave States, either side of this alternative is a dissolution, because, if the slave States submit to it, they cease to exist as States and as sovereign parties of the Union. Resistance to such usurpations, is their moral, social, and political duty."

Of Mississippi's action Mr. Calhoun wrote to Andrew Pickens Calhoun, on Oct. 22, 1849:

"Mississippi has acted well on the slave question, and I hope Alabama and every other Southern State will back her and send delegates to Nashville. It is all important that they should. Bad would be our condition if the convention should fail for want of backing; but bright our prospects should there be a full meeting."

Some sort of action with reference to the convention was taken

in various Southern States, following the Mississippi convention of October 1, 1849. A majority of the State legislatures passed resolutions endorsing it, and in most instances authorizing some plan of representation. However, there was little regularity in the methods of selecting delegates. As shown above, Mississippi's October convention appointed delegates. But on the 20th of March following, the legislature met in joint session and for some unknown reason chose other delegates. This action caused considerable dissatisfaction, especially among members of the Whig party.⁹ A protest was entered, signed by twenty-seven members of the legislature, in which they alleged that the majority had overstepped their authority. In imitation of the method of choosing delegates to a national convention, they selected delegates upon a basis of two for each representative in Congress, making four from the State at large, and two from each congressional district.

In Alabama and South Carolina, the State legislatures passed resolutions endorsing the issue as proposed by Mississippi, and providing for the election of delegates. Later, in Alabama, a great deal of harsh criticism was provoked in the ranks of the Whig party, because, as they claimed, the legislature had usurped the privilege of the people.¹⁰ In order to pacify these murmurings and to unite the two parties, the legislature subsequently

⁹ The *Vicksburg Whig* has this to say of the attitude of the Whigs toward the action of the State legislature:

"Nearly all the Whigs of that body have placed on record their solemn belief that as the October convention pledged the people to abide by the Nashville convention, it must be peculiarly appropriate to permit the people to have some direct agency in the appointment of delegates."

¹⁰ Mr. Hilliard, a prominent Alabamian of Whig sympathies, opposed the convention in a letter to a friend. He said:

"As to the Nashville convention, my opinion, as things now stand, is against it. I adhere to the position taken by me last summer—that no convention ought to be held in *advance* of some act of aggression on the part of the government. The most the legislature should have done, was to agree upon some clear, sensible firm resolution upon the subject, and empower the government, in the event of an aggression, to call a convention of *the people* to consider the question in all its bearings: the wrong, the remedy.

"I quite agree with you that there was no authority on the part of the legislature to appoint delegates. Our friends ought not to connect themselves with it.

"We shall settle the question, California will be admitted and the other portions of the Territory organized into governments without the *Proviso*."—*Republican Banner and Nashville Whig*, April 23, 1850.

empowered the governor to call conventions in the various counties of the State in order that the people might approve or disapprove the action of the legislature. These meetings were usually well attended, and, almost without exception, endorsed the methods and candidates of the legislature.

The Georgia legislature passed resolutions in the latter part of March, or early in April, wherein they endorsed the convention and empowered the governor to hold elections for the selection of delegates. In these resolutions they declared the proposed admission of California would be a good and sufficient reason why the Union should be dissolved. Mr. Toombs himself repudiated this feature. At the elections held soon after, although a majority of the counties that held them voted for the convention, not more than one-twentieth of the State's entire vote was polled.¹¹

In Florida, the governor was invested with the power of appointment by the legislature, which also endorsed the plan. It is interesting to note that Gov. Brown, in reply to a letter from the Florida delegation in Congress, prior to the action of the legislature, urging him to exert his influence to have delegates appointed, refused on the ground that the plan was of a revolutionary character. He advocated, he said, constitutional methods of redress for all wrongs, and suggested that the South might obtain justice through the supreme court in case of any infringement of rights.

The North Carolina method, so far as it was carried out, seems to have been for each congressional district to meet in convention and elect two delegates to the Nashville convention;

¹¹ The *Republican Banner and Nashville Whig* of June 21, 1850, quotes from the *Augusta Chronicle* the following:

"In glancing over the delegation from Georgia, we felt some curiosity to see how many voters they represented, and therefore addressed ourselves to the investigation, by which we ascertained the following results: Messrs. McDonald and Colquitt, were appointed by the legislature, and may, therefore, be regarded as representing that body. Of the others in attendance, Messrs. Benning, Crawford, Gibson and Fouché were elected by the people of their respective Congressional districts, and received in the aggregate 2,409 votes, whom they may be considered as representing. The remaining four are appointees of Governor Towns, and may be supposed to represent his Excellency. Georgia numbers probably one hundred thousand voters, and yet these men who receive less than *one-fortieth* part of them, assume to represent her in this assembly."

and to elect six delegates from each county, who should assemble at Raleigh to elect four delegates from the State at large.

The Virginia resolutions, adopted by the legislature on the 4th of February, looked upon the proposed Nashville convention as a body to consult and to advise what action should be taken in case of any interference with slavery. In case the Wilmot Proviso should be passed, the governor was authorized to call a State convention which should be empowered to select delegates to a Southern convention. Nevertheless public meetings were held in many counties to elect delegates. Madison, Jefferson, Westmoreland, King George, Princess Anne counties elected delegates. In Richmond and Albemarle counties the convention element was defeated. In Albemarle, immediately after the regular meeting adjourned, those who favored the convention met and appointed seventeen delegates to their district convention. Mr. Stevenson, late minister to London, presided at this meeting.¹² There was little or no sympathy with the movement in Western Virginia. T. Hayman, of Virginia, declared in the house of representatives, May 21, "Sir, the effort to get up meetings to send delegates to the Nashville convention has been almost an entire failure in Virginia."¹³

The general assembly of Tennessee passed resolutions of endorsement, and provided for the appointment of delegates by the governor in the ratio of two for each representative in Congress. This law was killed, however, by the Whig senate. The citizens of Davidson county held a convention in the city of Nashville, at which the convention element was voted down, and the meeting seems to have ended in a split.¹⁴ The minority, which favored a convention, then met behind closed doors, passed the resolution offered at the former meeting, and selected delegates to attend the convention.

On Feb. 27, 1850, Mr. Anderson, of Kentucky, introduced in the legislature resolutions favorable to the convention, which were killed by a vote of 26 to 9.

In compliance with the law passed by the Texas legislature,

¹² *Republican Banner and Nashville Whig*, April 19, 1850.

¹³ *Congressional Globe*, 31st Congress 1st Session, appendix, p. 599.

¹⁴ *Nashville True Whig*, May 7, 1850.

elections were held in eastern and western Texas for the selection of delegates. Very little interest was manifested in the matter.

Thus recognition of some character, generally by their legislatures, was almost universal through the South during the fall of 1849 and the spring of 1850. The delegates were given no definite instructions by those whom they represented, but were left to exercise their own judgment as to what action they should take. The acts of the convention were not intended to be final or to have any binding force. But it was to consult, to advise, and to recommend, leaving to the people of the States concerned the privilege of adopting or rejecting the results of its deliberations.

The convention held two sessions. For convenience, they may be designated the session before and the session after the compromises of 1850. When the first session adjourned, Mr. Clay's famous Omnibus Bill, afterwards known as the Compromises of 1850, was pending in Congress. These measures were passed before it reassembled.

The convention met at Nashville, June 3rd, 1850. Representatives from only nine States were present, although others had been appointed. They were as follows: Virginia, six; South Carolina, seventeen; Georgia, twelve; Mississippi, eleven; Texas, one; Alabama, twenty-one; Arkansas, two; Florida, six; and a large number from Tennessee.¹⁵

¹⁵ The *Republican Banner and Nashville Whig*, of June 5 and 6, 1850, gives the following list of delegates to the Nashville convention. It seems to contain some names twice and probably contains some misprints; but it is given precisely as it appeared.

VIRGINIA DELEGATES:

Willoughby Newton, R. H. Claybrook, Wm. F. Gordon, W. O. Goode, Thos. S. Gholson and Beverly Tucker.

SOUTH CAROLINA DELEGATES:

L. Cheves, R. W. Barnwell, J. H. Hammond, Samuel Otterson, Jno. A. Bradley, J. W. Whitner, A. C. Young, Maxey Gregg, James Chestnut, Jr., W. J. Hanna, R. F. W. Alston, F. W. Pickens, Drayton Nance, Geo. A. Trenholm, Wm. DuBose, D. F. Jamison, and R. Barnwell Rhett.

GEORGIA DELEGATES:

Hon. Walter T. Colquitt, Hon. Chas. J. McDonald, Col. H. N. Benning, M. J. Crawford, Esq., Obediah C. Gibson, Esq., Jas. W. Ramsey, Obediah Warner, Simpson Fouche, Gen. Robert Bledsoe, Andrew H. Dawson, Dr. Jno. G. McWhertor.

ALABAMA DELEGATES:

Gov. B. Fitzpatrick, Jno. A. Campbell, Jno. A. Winston, L. P. Walker,

The meeting¹⁶ was formerly called to order by Gov. A. V. Brown, of Tennessee. Judge William L. Sharkey,¹⁷ of Mississippi, was elected president by acclamation. Hon. Charles J.

Nicholas Davis, Jas. Abercrombie, W. M. Murphy, S. B. Bethea, B. Boykin, G. W. Guyon, S. Buford, R. Shorter, Geo. Goldthwaite, J. S. Hunter, Daniel Coleman, Wm. Cooper, R. Chapman, Thos. A. Walker, G. S. Walden, Jno. L. Erwin, W. M. Byrd.

MISSISSIPPI DELEGATES:

Judge Wm. L. Sharkey, C. P. Smith, A. M. Clayton, J. W. Mathews, T. J. Word, J. L. Neil, J. J. Pettus, J. J. McRae, E. C. Wilkinson.

TEXAS DELEGATE:

Gen. J. P. Henderson.

ARKANSAS DELEGATE:

J. Powell.

FLORIDA DELEGATES:

Jas. Hernandez, B. M. Pearson, A. J. Forman, O. H. DuPont, J. F. McClellan, G. E. Cabel.

TENNESSEE DELEGATES:

Col. R. Warner, R. Jones, W. A. Sewell, F. W. Brents, Howell Taylor, Jas. L. Green, Thos. Shepard, Gen. W. Hall, Wm. B. Bate, E. Broddie, Geo. W. Allen, G. W. Winchester, Gen. D. Donelson, G. W. Bond, Isaac M. Gower, Boling Gordon, S. B. Moore, Edward Gantet, J. W. Whitfield, B. B. Satterfield, G. B. Fowlkes, Jas. Patterson, T. J. Kennedy, A. Ezell, Geo. T. Malone, F. T. McLauren, Geo. Everly, Thos. Buford, Col. Jno. Dergan, D. R. S. Nowlin, N. Y. Cavett, J. E. R. Ray, Jno. Poindexter, H. L. Johnson, D. P. F. Norflett, Wm. Overton, Jas. H. Estill, C. C. Garner, W. E. Venable, H. R. Estill, Thos. Jackson, Gen. G. J. Pillow, Wm. K. Polk, W. J. Strayham, G. R. Gantt, A. J. Porter, W. C. Whitham, C. J. Dickinson, Jas. Walker, F. Watkins, Robert G. Payne, Patillo, Patton, R. A. L. Wilkes, C. Polk, R. D. Casey, Thos. H. Hopkins, W. P. Rowles, Wm. B. Hall, Wm. Moore, A. W. Overton, A. Ferguson, Gen. Robert Armstrong, Gov. A. V. Brown, A. O. P. Nicholson, V. K. Stevenson, Wm. Williams, Dr. Jno. Maxey, J. J. B. Southall, Jno. McIntosh, Dr. J. N. Esselman, Andrew J. Donelson, Willo Williams, Jacob McGavock, Daniel Graham, A. W. Johnson, Andrew Jackson, W. F. Watkins, Frank McGavock, Gen. W. G. Harding, Thos. Claiborne, L. P. Cheatham, W. E. Owen, M. Barrow, W. B. Shepherd, Gen. E. W. Hickman, L. Hunter, H. Atkinson, J. B. Clements, T. D. Moseley, F. Robertson, Gen. Daniel Donelson, Westley H. Humphreys, Geo. W. Buchanan, Jno. T. Neil, Samuel Doke, Sam H. Whitham, Geo. M. Cunningham, E. L. Paget, J. M. Quarle, R. F. Eupton, Jno. Stephens.

On the third day, the following new names were enrolled: From Arkansas, Ex-Governor Sam C. Roane; from Alabama, Thos. J. Judge.

The following delegates' names were stricken from the list not being present on June 5th: Gen. Robert Armstrong of Tennessee; Jos. N. Fernandez; E. C. Cabel, of Florida.

¹⁶ The proceedings of the convention are fully reported in the Nashville papers, especially the *Republican Banner* and *Nashville Whig*. The reader is referred to these files as the authority for all statements unless other reference is specifically given.

¹⁷ Wm. L. Sharkey was chief justice of Mississippi. He was one of the leaders in the convention of his State that called the Nashville convention.

McDonald,¹⁸ of Georgia, was chosen vice-president. The convention next undertook the examination of the credentials of all delegates, after which they took their seats.

The question of the ratio of representation in voting provoked much discussion. There was a strong sentiment in favor of voting by States, each State counting equally. This method was finally adopted.

A resolution, introduced by Gov. Brown, of Tennessee, was adopted, which provided that each State delegation should choose two of its members to serve as a committee on resolutions, and that they might report on any other matter that they thought necessary. The members of this committee were: Messrs. Newton and Gordon, of Virginia, McDonald and Benning, of Georgia, Barnwell and Hammond, of South Carolina, Murphy and Campbell of Alabama, Boyd and Clayton, of Mississippi, Henderson, of Texas, Forman and Pearson, of Florida, Brown and Nicholson, of Tennessee, Roane and Powell, of Arkansas. Gordon, of Virginia, was elected chairman.

In taking the chair, Judge Sharkey addressed the convention. He made an earnest appeal for harmony, and insisted that they should adopt courageous but conservative measures, and bear constantly in mind the great object for which they were assembled, namely, the perpetuation of the Union in its original purity.

The session continued ten days, and during that time many resolutions and measures were proposed. These were freely discussed; after which they were referred to the committee on resolutions. The committee's draft of the resolutions was submitted late in the session, and was read before the convention by Mr. John A. Campbell, of Alabama. They were essentially those earlier proposed by him. With a few minor changes, they were unanimously adopted.

The same committee prepared and submitted along with the resolutions an address to the people. This was finally adopted, although some opposition was manifested, especially to the part that opposed specifically the compromise measures.

¹⁸ McDonald was elected governor of Georgia in 1839 and reelected in 1841 by the Union party. In 1851, he became the candidate of the Southern Rights party, but was defeated by Howell Cobb of the Union party.

So far as evinced by the report made, the entire proceedings, speeches, resolutions, etc., of the several States, were thoroughly harmonious upon the main issues to be considered, namely, the absolute equality of the States; the doctrine of State sovereignty; the right of a State to settle its own domestic relations and shape its own policy toward the institution of slavery; and the right of each State to an equal participation in, and protection of its property in all national territory. The Missouri line of compromise was regarded as a generous concession from the Southern States, but acceptable as the price of peace, in default of their just claims. No threats were made in anticipation of the defeat of their demands, but simply a provision for the reassembling of the convention after Congress had adjourned, to devise further and effective means of redress in that event. The following are the resolutions in full, as adopted:

“1. *Resolved*, That the Territories of the United States belong to the people of the several States of this Union as their common property. That the citizens of the several States have equal rights to migrate with their property to these Territories, and are equally entitled to the protection of the Federal government in the enjoyment of that property so long as the Territories remain under the charge of that government.

“2. *Resolved*, That Congress has no power to exclude from the territory of the United States any property lawfully held in the States of the Union, and any act which may be passed by Congress to effect this result is a plain violation of the constitution of the United States.

“3. *Resolved*, That it is the duty of Congress to provide proper government for the Territories since the spirit of American institutions forbids the maintenance of the military government in time of peace, and as all laws heretofore existing in Territories belonging to foreign powers which interfere with the full enjoyment of religion—the freedom of the press—the trial by jury and all other rights of persons and property as secured or recognized in the constitution of the United States are necessarily void so soon as such Territories become American Territories, it is the duty of the Federal government to make early provisions for the enactment of those laws which may be expedient and necessary to secure to the inhabitants of, and emigrants to, such Territories the full benefits of the constitutional rights we assert.

“4. *Resolved*, That to protect property existing in the several States of this Union, the people of these States invested the Federal government with the powers of war and negotiation, and of

sustaining armies and navies, and prohibited to the State authorities the exercise of the same powers. They made no discrimination in the protection to be afforded or the description of the property to be defended, nor was it allowed to the Federal government to determine what should be held as property. Whatever the States deal with as property, the Federal government is bound to recognize and defend as such. Therefore, it is the sense of this convention that, all acts of the Federal government which tend to denationalize property of any description recognized in the constitution and laws of the States, or that discriminate in the degree and efficiency of the protection to be afforded to it, or which weaken or destroy the title of any citizen upon American Territories are plain and palpable violations of the fundamental law under which it exists.

“5. *Resolved*, That the slave-holding States cannot and will not submit to the enactment by Congress of any law imposing onerous conditions or restraints upon the rights of masters to remove with their property into the Territories of the United States, or to any law making discriminations in favor of the proprietors of other property against them.

“6. *Resolved*, That it is the duty of the Federal government plainly to recognize and firmly to maintain the equal rights of the citizens of the several States in the Territories of the United States, and to repudiate the power to make a discrimination between the proprietors of different species of property in Federal legislation. The fulfillment of this duty by the Federal government, would greatly tend to restore the peace of the country and to allay the exasperation and excitement which now exist between the different sections of the Union. For it is the deliberate opinion of this convention that the tolerance Congress has given to the notion that Federal authority might be employed incidentally and indirectly to subvert or weaken the institutions existing in States confessedly beyond Federal jurisdiction and control, is a main cause of the discord which menaces the existence of the Union and which has well-nigh destroyed the efficient action of the Federal government itself.

“7. *Resolved*, That the performance of this duty is required by the fundamental law of the Union. The equality of the people of the several States composing the Union, cannot be disturbed without disturbing the frame of the American institutions. This principle is violated in the denial of the citizens of the slave-holding States of power to enter into the Territories with the property lawfully acquired in the States. The warfare against this right is a war upon the Constitution. The defenders of this right are defenders of the constitution. Those who deny or impair its exercise are unfaithful to the constitution, and if disunion follows the destruction of the right, they are the disunionists.

“8. *Resolved*, That the performance of its duties upon the principles we declare, would enable Congress to remove the embarrassments in which the country is now involved. The vacant Territories of the United States, no longer regarded as prizes for sectional rapacity and ambition, would be gradually occupied by inhabitants drawn to them by their interests and feelings. The institutions fitted to them would be naturally applied by government formed on American ideas and approved by the deliberate choice of their constituents. The community would be educated and disciplined under a republican administration in habits of self-government, and fitted for an association as a State, and to the enjoyment of a place in the confederacy. A community so formed and organized, might well claim admission to the Union and none would dispute the validity of the claim.

“9. *Resolved*, That a recognition of this principle would deprive questions between Texas and the United States of their sectional character, and would leave them for adjustment without disturbance from sectional prejudices and passions, upon considerations of magnanimity and justice.

“10. *Resolved*, That a recognition of this principle would infuse a spirit of conciliation in the discussion and adjustment of all the subjects of sectional dispute, which would afford a guarantee of an early and satisfactory determination.

“11. *Resolved*, That in the event a dominant majority shall refuse to recognize the great constitutional rights we assert, and shall continue to deny the obligations of the Federal government to maintain them, it is the sense of this convention that the Territories shall be treated as property and divided between the sections of the Union, so that the rights of both sections were adequately secured in their respective shares. That we are aware this course is open to grave objections, but we are ready to acquiesce in the adoption of the line 36 degrees 30 minutes north latitude, extending to the Pacific ocean as an extreme concession upon considerations of what is due to the stability of our institutions.

“12. *Resolved*, That it is the opinion of this convention that this controversy should be ended, either by a recognition of the constitutional rights of the Southern people, or by an equitable partition of the Territories. That the spectacle of a confederacy of States, involved in quarrel over the fruits of a war in which the American arms were crowned with glory, is humiliating. That the incorporation of the Wilmot Proviso in the offer of settlement, a proposition which fourteen States regard as disparaging and dishonorable, is degrading to the country. A termination to this controversy by the disruption of the confederacy or by the abandonment of the Territories to prevent such a result, would be

a climax to the shame which attaches to this controversy, which it is the paramount duty of Congress to avoid.

"13. *Resolved*, That this convention will not conclude that Congress will adjourn without making an adjustment of this controversy, and in the condition in which the convention finds the question before Congress, it does not feel at liberty to discuss the methods suitable for a resistance to measures not yet adopted, which might involve a dishonor to the Southern States."

The address was styled, "An Address to the People of Maryland, Virginia, North Carolina, South Carolina, etc.," naming all the Southern States. This lengthy, exhaustive, and logical document was written by Mr. R. B. Rhett, of South Carolina, a leader of acknowledged ability in his State, and an extremist on Southern rights. It gave first an historical review of the increasing aggressions of the North. It asserted that the South was reviled by the North on account of slavery, and that its condition in the Union was growing from bad to worse. The different measures of the compromise were severally taken up, and thoroughly criticized. With the single exception of the Fugitive Slave law, they were condemned in no uncertain terms. The address, in conclusion, however, declared in favor of reasonable and adequate compromise, urging that the Missouri line be extended.

Referring to the bill to admit California it said:¹⁹

"The South is excluded by the bill from the whole of that part of California lying on the Pacific, including one hundred and fifty thousand square miles of territory; and if this be done by the legislation of Congress, the mode in which it is done, is of no importance. California belongs to the United States, and all action by the individuals in that Territory, whether from the United States or from the rest of the world, appropriating the soil to themselves or erecting a government over it, is of no validity. They constitute a people in no proper sense of the term; but are citizens of the States or countries from which they have come, and to which they still owe their allegiance. When, therefore, Congress attempts to carry out and confirm the acts of these individuals, erecting California into a State and excluding slavery therefrom, it is the same thing as if Congress had originally passed a law to this effect, without the intervention of these individuals. The exclusion of slavery from California is done by the act of Congress, and by no other authority. The constitution

¹⁹ *Republican Banner and Nashville Whig*, June 13, 1850.

of California becomes the act of Congress; and the Wilmot Proviso it contains, is the Wilmot Proviso passed and enforced by the legislation of Congress. Here then, is that exclusion from this territory by the act of Congress, which almost every Southern State in the Union has declared she would not submit to, plainly and practically enforced by this bill. A free people cannot be satisfied with the mode in which they are deprived of their rights; a sovereign State will disdain to enquire in what manner she is stripped of her property, and degraded from an equality from her sister State. It is enough, that the outrage is done. The mode is of little consequence."

In regard to the partition of Texas it continued:

"The next measure is in perfect keeping with this first feature of 'the report.' It takes from Texas, territory sufficient for two large States, and adds them to New Mexico. What the bill contains with respect to slavery will be of little consequence; for it is designed that next winter New Mexico thus constituted, shall follow the example of California, and be admitted as a State with a constitution excluding slavery from its limits—for without such exclusion she cannot hope to be admitted by the non-slaveholding States into the Union. The effect will be that territory, over which slavery now exists, equal to two States will be wrested from the South, and will be given up to the non-slaveholding States. The pretext is, that there is some doubt as to the boundaries of Texas. Texas by her laws, when she was admitted into the Union, had but one boundary towards the West, and that boundary was the Rio Grande. Congress in the resolutions admitting her into the Union recognized this boundary, by laying down a line of limitation between the slaveholding and non-slaveholding States—(being the Missouri compromise line of 36 degrees 30 minutes parallel of north latitude)—through that very part of her territory, her right to which is now questioned. Her boundary of the Rio Grande to its source alone gave her this country; and was thus recognized and ratified by the resolutions of annexation. To vindicate this boundary for Texas, as a member of the Union the Mexican war took place; and in the treaty of Gaudalupe Hidalgo, it was finally vindicated and settled by a clause in the treaty, designating the Rio Grande as the boundary between Mexico and the United States. Thus, by the laws of Texas, by the legislation of Congress, and by a solemn treaty of the United States, the Rio Grande is the western boundary of Texas. Yet the pretention is set up, that her territory does not extend to within three hundred miles of the Missouri compromise line, where Congress in receiving her into the Union determined that her territory should be divided between the slaveholding and

non-slaveholding States. Texas is the only State in the Union which has the solemn guarantee of the government of the United States in every possible form to her boundaries. Yet this is the government which disputes them; and under the pretext that they are very doubtful, proposes to take from her nearly one-half of her territory. It is by virtue of such pretensions, that by the bill two States are to be taken from the Southern and given to the Northern States; and this wrong is aggravated by compelling us to pay for it, through the Treasury of the United States.

"It is undoubtedly proper, that Texas should be quieted as to her boundaries; but she should be quieted by a law of Congress, plainly acknowledging them. If after her boundaries are settled the general government, to carry out the purposes of the constitution, or in good faith to fulfil all the obligations, the annexation of Texas to the Union requires, should think proper to purchase any territory from Texas, the arrangement may be unobjectionable."

It then proceeded to discuss the bill to abolish the slave trade in the District of Columbia, as follows:

"No one can suppose that Maryland and Virginia, slaveholding States then and slaveholding States now, could have designed to give Congress any power over the institution of slavery in this territory. Independently of the wrong to the people of the District, to emancipate their slaves, it would be an intolerable evil to have a District between them, where emancipation prevails by the authority of Congress. Congress, in the bill reported as a part of the so-called compromise, now begins the work of the emancipation by declaring that if any slave is brought into the District for sale, he shall be 'liberated and free.' If a slave is liberated because he is *brought into the District*, the next step, to liberate him because he *is in the District*, is not difficult."

In regard to the Fugitive Slave bill it said:

"If these authorities do not enforce the requirements of the constitution, and aid in the recapture and recovery of fugitive slaves, Congress can do but little to enforce them. The bill providing for the co-operation of the few officers of the United States government in a State, is practically quite insufficient to accomplish its aim.

* * * * *

"The bill then, is, in the first place, quite inadequate to restore to us our fugitive slaves, and in the second place, gives the South nothing but what she is entitled to. If this was all, there would be nothing in the bill for which we should concede anything to the North. But it is not all. Under the pretext of bestowing on

us a benefit, it perpetrates a usurpation on the reserved rights of the States. It provides that a slave may arraign his master, by the authority of laws made by Congress, before the courts of the States and of the United States, to try his right to his freedom. If Congress can legislate at all between the master and slave in a State, where can its power be stayed? It can abolish slavery in the States. Thus a power is assumed in the bill, which virtually extends the jurisdiction of Congress over slavery in the States."

Finally it suggested compromise:

"Three times in Congress during this controversy, the South has proposed the Missouri compromise, which has been three times rejected by the North. Twice she has proposed a compromise by which she consented to leave it to the courts of the United States to determine her rights. Instead of requiring sternly their recognition by Congress, fifteen sovereign States have consented to be carried into the courts of the country, and there to submit their rights in a territory belonging to them, to their final arbitrament. Their humiliation did not win the respect or confidence of the North and the proposition was twice rejected.

"The South in our opinion, might accept one other compromise, not because it is co-extensive with our rights, but because it has been twice sanctioned by those who have gone before us. If the North offers the Missouri compromise, to extend to the Pacific Ocean, the South cannot reject it, provided, a distinct recognition of our right to enter the territory south of 36 degrees 30 minutes north latitude, is expressed in the compromise. We should take this line, as a partition line between the two sections of the Union; and beyond this, nothing but what the constitution bestows."

As stated above, the delegates were not a unit in their endorsement of the address.²⁰ The committee was divided and, being unable to compromise their differences, a minority report was submitted, which caused some excitement in the convention. The opposition came principally from the representatives of the Whig

²⁰ "When Mr. Hammond took his seat, the previous question was called, and sustained. The main question was then put and the address adopted unanimously by States, the amendments being cut off.

"Mr. Abercrombie then moved that the States be called, that those who were opposed to portions of the address might record their votes in the negative.

"The call was made accordingly, and Messrs. Abercrombie, Davis, Murphy, Judge, Byrd, and Hunter, of Ala.; Gholson, of Va.; Foreman, of Fla., and Sharkey, of Miss., recorded their votes in the negative."—*Republican Banner and Nashville Whig*, June 13, 1850.

party. They simply stated their reasons for not supporting the address, however, without entering any protest. These were: First, because the convention had given them no authority to prepare an address, but simply report resolutions; and second, that they themselves were not prepared to say that the impending compromises might not be so altered as to make them acceptable.

After a continuous session of nine days the convention adjourned, June 12, 1850. In the event of failure on the part of Congress to comply with their demands, it was agreed they should reassemble on the sixth Monday after Congress had adjourned, or at such a time after Congress had acted as the president might appoint. The proceedings and spirit²¹ of the first session were firm, manly, and dignified. Throughout the Southern States, conventions and public meetings²² were held, at which the action

²¹ The *Nashville True Whig*, of June 18, 1850, says:

"We have been led to these reflections by the action of the so-called Southern convention, convened in this city, and the spirit in which it has been received in this immediate community. We have no sympathy with the movement. We regarded it from the beginning as unwise and inauspicious—as a dangerous, and at the same time, an inefficient remedy in itself for the grievances of which we complain—as we shall show it to be in the end. But whatever may be said of its impolicy, or its unauthorized and unconstitutional character, or the old heresies of nullification and secession which it has put forth in all their odiousness, it embodied a very large amount of talent, eloquence and learning, it was composed of individuals of extensive popular influence in nine of the Southern States, its deliberations were conducted with marked ability, and indicated throughout a thorough determination on the part of the large majority, to carry out, in spirit and in letter, the purport of their published proceedings."

²² The *Alabama Journal*, July 23, 1850, gives the following account of a ratification meeting in Montgomery, Alabama:

"In accordance with a notice which had been given in all the papers of the city, a large and intelligent meeting of the citizens of the county and city of Montgomery, assembled at the court house, to ratify and approve the action of the Nashville convention.

"Mr. Goldthwaite commenced by giving a full account of the convention and its proceedings. He passed a high encomium on the abilities and patriotism of Judge Tucker, of Virginia. Langdon Cheves, the favorite son of South Carolina, from the generation of a former age, around whose venerable brow clustered the honors of more than half a century's devotion to the cause of his country, and upon whose head had fallen the snows of eighty winters, was there to lend to their councils the wisdom of experience and the dignity of age. Mississippi was there represented by her learned chief justice, and other distinguished citizens, as firm in the councils as they had ever been gallant in the field; and so on of the rest. He traced the unjust and unconstitutional action of the North from the ordinance of 1787 down to the present time—their entire faithlessness in observing the constitution as well as the legislative compromises which they forced upon the South. The associated and affiliated abolition presses slavery in the States. Urged on by a blind and bigoted fanaticism, they

of the convention was endorsed.²³ Occasionally, however, the address met with some opposition.

The second session convened at Nashville, November 11, 1850. In the meantime, Congress passed the famous compromise measures. President Sharkey²⁴ did not issue a call for a second meeting of the convention.

claim a dignity and a religion higher and purer than that of Christ, and a political conscience above the constitution. All this they claim for the purpose of supporting those insurrectionary movements, which will spare neither helpless infancy nor hoary age.

"The Missouri Compromise was offered in the convention as an extreme concession—this had been in effect rejected by the Senate of the United States, which offered only another indication and an additional proof of the urgent necessity for prompt and efficient Southern organization."

²³ The *Republican Banner and Nashville Whig*, July 2, 1850, contains the following account of a speech by Mr. Rhett at Charleston, S. C.:

"He declared the Federal government to be a failure, so far as the South was concerned; and frankly and boldly unfurled the flag of disunion, as the only refuge of the South, and as offering her not only a release from the fetters of a faithless and oppressive Confederacy, but as calculated to crown her with prosperity and glory. Nay, he even went so far as to contend that, if every Southern State should quail and cower in the existing crisis, South Carolina alone should make the issue, and either live free or perish with honor. He undertook to maintain the paradox (to use his own language) of 'proving to freemen that they were not free'; and went on to establish the propositions that the people of the South, under the workings of our present system of government were slaves. 1. In respect of Federal taxation; 2. In respect of Federal expenditures; and 3. In respect of their peculiar domestic institutions. He showed that the Nashville convention had done much; contrary to the evil vaticinations of its enemies and the acknowledged apprehensions of its friends. It had met—the South had at length dared to meet, and, with great unanimity, had proposed the Missouri line—not, however, on the old principle of positively inhibiting slavery North, and admitting or excluding it South of the line, as the people of the region should decide, on their coming into the Union as States, but with a positive recognition of slavery South of the line, as an equivalent for its exclusion North of the line. The proposition was therefore for a partition of the disputed Territory, between the North and South, adapted to the circumstances of the case. The old Missouri compromise was applied to slaveholding territory—the new compromise is to be applied to non-slaveholding territory—and hence the reason and necessity of the change. He was frank and candid enough, however, to avow that the idea of effecting an adjustment, on that basis, was utterly hopeless—the North would never assent to it."

²⁴ Judge Sharkey does not seem to have had very firm convictions as to what was the wisest policy. Personally he believed in the justice of the full Southern claims. He did not think that these were granted by the compromise measures; but he did not consider it wise to insist on more than could be obtained, nor to advocate more than Southern public opinion could agree upon.

Before the first session of the Nashville convention met, he became discouraged, and wrote to Senator Foote:

"We must take things as they are, and not as we would have them, and shape our conduct according to exigencies. It would have been

But as the former meeting had decided upon a day for assembling, the president's call was regarded as a mere matter of formality, and preparations were made for the second session. New delegates were appointed by the State legislatures or conventions of the people in some instances, while in others the old ones were sent and the vacancies filled.

The body reorganized on motion of Gen. Gideon J. Pillow, by calling the former vice-president, Governor McDonald, of Georgia, to the chair. On the following day, Tuesday, he was unanimously elected to the presidency by acclamation. Hon. Reuben

folly to have insisted on what you and I may regard as strictly Southern rights. Nothing could have been obtained by that course. If the compromise can be adopted, our honor at least is safe. Indeed, it secures the principle for which we have been contending. The mass of the Southern people would be content with it. True it does not suit all men. * * * Could you do anything that would please all even of your own party? I think not. Ultra men can never be pleased. * * * Take my word for it, conservative men will approve your course. The Whigs generally approve it, and the moderate men of your own party. In short, I think it will be approved by the people."—*Republican Banner and Nashville Whig*, June 15, 1850.

After the first session met and showed some vigor, he changed his mind. On June 21, he wrote to the editor of the *Southron*. Referring to his letter to Foote, he said:

".....The letter was written at a time when it was believed my me, as well as by others, not only here but elsewhere, that the convention movement would result in total failure. Some of the states had declined to appoint delegates; it was believed the delegates appointed by others would not attend, and everywhere great opposition was manifested toward the measure. It seemed impossible to rally the South in vindication of her rights. The advice from Washington City seemed to dispel any hope of a creditable convention, and a failure could have no other effect than to encourage aggressions on the South. It was also believed that the compromise was the best that could possibly be obtained; so, indeed, I was distinctly informed. Under such circumstances I wrote the letter referred to, in reply to one which contained but a syllabus of the compromise, not having seen the details of the measure. But, in expressing that opinion, I did not intend to admit that the South was entitled to nothing more. My opinions on the subject of her rights are too well known, I trust, to be the subject of doubt. I repeatedly declared that the South was entitled to an equal portion of the new territories. Since that letter was written the Nashville convention has met. Its enemies have been disappointed and its friends gratified. It is now seen that the South is alive to her interests and her rights.....

I trust the whole South will unite, in a spirit of firm determination, to insist upon the line of compromise which we have recommended. This shall be my course and I hope by pursuing it to accomplish the preservation of the union unimpaired."—*The Eufaula Democrat*, July 2, 1850.

For some reason he seems to have changed his mind again and determined to take no part in the second session.

Chapman, of Alabama, was chosen vice-president at the same time. President McDonald on taking the chair addressed the convention in a short but eloquent appeal, in which he tentatively favored secession, without actually recommending that extremity.²⁵ On the second day, it was found that several members of the former committee on credentials had not returned, whereupon new ones were put in their place.²⁶ Later the committee announced that the following States were represented: Alabama, Florida, Mississippi, Tennessee, South Carolina, Georgia and Virginia.²⁷ The different States then announced the new ap-

²⁵ Mr. McDonald said in part:

"The constitution, then, is the great temple of our religious, political, and individual liberty. The sacred rights of millions of freemen are intimately interwoven with its structure. If it be destroyed, they must perish with it, unless they can be otherwise preserved. The polluted and polluting hands of a wicked fanaticism and sectional ambition have already shaken its foundation stone. It is in imperial peril. Unless it can be rescued from the machinations and violence of evil men, it must fall. Every breeze that comes from the North, wafts to our ears the intelligence of some fresh wrongs and injustice, of tumults and insurrection against the constitution, and the laws. It may be that while I now speak, the life blood of citizens of Georgia crimsones the streets of Boston, and that, for the prosecution of their rights under that constitution and those laws. Can it be the settled purpose of infatuated and maddened fanatics to drive the States of the South to the last measure of safety, short of revolution, secession from the Union—a measure that should be resorted to only in cases of extreme necessity, and after all other measures have failed? I do not speak thus to excite resentment, to exasperate. No, it requires wisdom, calmness, moderation, courage, to meet the crisis. Those who will contemplate the immense blessings which have flowed from the constitution, when faithfully administered, cannot fail to see the finger of God in its wonderful construction. Let us then set to work earnestly to preserve it, trusting in him to direct us in the means. Shall we rest quietly, seeing the approaching dissolution, and make no exertion to avert it, and adopt no measures of safety if it must come? No, no. If the constitution be doomed to perish, we must nerve our arms to secure the rights it was intended to guarantee, relying on the guidance and aid of the Omnipotent in so just a cause."—*The Nashville American*, Nov. 12, 1850.

²⁶ The following were the committee in full: Messrs. Pillow, of Tennessee; Hutchinson, of Mississippi; Buford, of Alabama; Gordon, of Virginia; McWhortor, of Georgia; DuPont, of Florida; Pickens, of South Carolina.—*The Nashville American*, Nov. 13, 1850.

²⁷ The following is a list of delegates representing the different States:

Alabama—R. Chapman, G. W. Williams, C. C. Clay, Sr., J. M. Calhoun, and J. Buford.

Florida—C. H. DuPont, J. H. Verdier, P. W. White, Jno. E. McGehgee.

Mississippi—J. Macker, J. J. Davenport, A. Hutchinson, W. K. Kilpatrick, P. Smith, T. J. Wharton, J. C. Thompson, C. M. Lawn.

Tennessee—A. V. Brown, G. J. Pillow, A. O. P. Nicholson, A. J. Donelson, J. B. Clements, T. Claiborne, Dr. M. Esselman, W. G. Harding, F. McGavock, T. Morton, W. H. Polk, J. McClavin, J. D. Moseley, and L. P. Cheatham.

South Carolina—Langdon Cheeves, W. J. Hanna, F. W. Pickens, W. C.

pointments to the general committee on resolutions. General Gordon was retained as chairman of this committee.

Resolutions were introduced from almost every State, which claimed to be an expression of its attitude towards the questions at issue. Set speeches were made during the convention by Messrs. Cheeves, of South Carolina; McWhortor, of Georgia, and Governor Brown, of Tennessee. Throughout the session of seven days, a marked change from the conciliatory tone of the June meeting prevailed. The Tennessee delegation, although dominated by the conservatives, was itself divided. General Pillow's resolutions, on the part of the Tennessee delegation indicated an acquiescence in the late acts of Congress, but declared a determination to resist any further aggression against Southern rights. Hon. Langdon Cheeves, in the resolutions introduced for his State (South Carolina), indicated secession as the proper remedy for the grievances of the South, and followed it with a speech of about two hours, in which he reviewed the difficulties between the two sections of the Union, the several recent acts of Congress and recommended secession as the proper means of future security. In the course of his speech when he reached the climax of his eloquence on the present condition of the South, he exclaimed: "It is already done; the Rubicon is crossed; even now the Union is divided."²⁸ Messrs. Hunter, Jones and Sneed, of Georgia, also introduced resolutions, in which they took essentially the same position as South Carolina. Mr. McWhortor, of Georgia, later addressed the convention for one hour. He denounced the Fugitive Slave law as a "*quid pro quo* of a false character." "Union and slavery," said he, "can-

Young, J. N. Whitner, J. Bradley, S. Otterson, D. Nance, D. F. Jamison, W. Grigg, G. A. Trenholm, J. S. Wilson, J. Chestnut, Jr., W. DuBose, R. B. Rhett and R. Barnwell.

Georgia—J. G. McWhortor, J. A. Jones, Jno. D. Steel, W. P. Parker, G. R. Hunter, R. Bledsoe, J. M. Bethune, J. Sneed, C. J. McDonald, H. G. Benning, Dr. Daniel.

Virginia—Gen. Gordon.

²⁸ "We call this argument of Mr. Cheeves the manifesto—the hand of South Carolina. Coming from the most able of her sons, there can not be a doubt that it meets with the hearty approval of the able, but misguided delegation. But we can not dignify it with a higher appellation. South Carolina may be correctly represented in this convention, but we cannot be cajoled into the belief that the people of any other Southern States are leagued with her in her designs upon the unity and peace of the Republic."—*The Nashville Gazette*, Nov. 15, 1850.

not long exist together, and what is the South to get? Self-preservation is the first law of nature, with States as with individuals." Mr. Claiborne, of Tennessee, then followed in the same strain for himself, as he said, rather than for his State, as he was in the minority in his delegation. Secession was boldly and freely spoken of as the only hope of the South. The resolutions proposed by Mr. Clay, of Alabama, were bitter and uncompromising in their condemnation of the compromise measures; which they termed the "adjustment scandal."

Resolutions were introduced by Mr. Davenport, of Mississippi, in support of which, he said, a majority of the people in his State had acted favorably. They endorsed the right of secession, and enumerated the wrongs inflicted upon the South:

"In view of these aggressions and outrages inflicted upon the South and those threatened and impending," they recommended that each of the Southern States appoint delegates to a general convention, the time and place to be determined later; that these delegates be "clothed with full authority to deliberate and act, with all the sovereign power of the people, with a view to arresting further aggression, and restoring the constitutional rights of the South—if possible—and if not, then to provide for the safety and independence of the South in the last resort."

The Mississippi, Alabama and Georgia delegations proposed in their reports that a Southern convention or congress, as the Alabama report styled it, be held at some future date; delegates to be chosen by "primary meetings of the people," in such manner as might be suitable to the States participating; and that they be clothed with power to take authoritative action with reference to the late acts of Congress. The Alabama report said: "We recommend to those States who think themselves aggrieved by those acts (compromise of 1850), and who wish to unite against future aggression, to elect delegates to meet in Georgia some time next spring." Montgomery was also suggested as a suitable place for holding this Southern congress.

The conservative element, who favored peaceful acquiescence in the compromises of 1850, upon the one condition that they be faithfully executed, constituted a very small minority of the second convention. The Tennessee delegation favored resolutions endorsing these compromises. They, however, were al-

most alone in that position, there being only a few individuals from the other States of a similar mind.

All resolutions were referred to the committee on resolutions, whose report was made just before the convention adjourned, and was adopted by a vote of six to one, Tennessee voting in the negative. Some excitement and disorder was witnessed at the closing scene of the convention, because, as previously agreed upon, the report was adopted without further discussion.²⁹ No address was issued.

The resolutions, which were prefaced by a lengthy preamble, were as follows:

"Resolved, That we have ever cherished, and do now cherish a cordial attachment of the constitutional Union of the States, and that to preserve and perpetuate that Union unimpaired, this convention originated and has now reassembled.

"Resolved, That the Union of the States is a Union of equal and independent sovereignties, and that the powers delegated to the Federal government can be resumed by the several States, whenever it may seem to them proper and necessary.

"Resolved, That all the evils anticipated by the South, and which occasioned this convention to assemble have been realized, by the failure to extend the Missouri line of compromise to the Pacific ocean. By the admission of California as a State. By the organization of Territorial governments for Utah and New Mexico without giving adequate protection for the property of

²⁹ Of the closing scenes an editorial says:

"That the matter may be understood, we give a brief history. The committee on resolutions had unanimously instructed their chairman, on reporting the resolutions on Monday morning, to move the previous question on their adoption. The members were anxious to return home, it was known that if a debate once commenced it would be almost interminable. Messrs. Brown and Nicholson, representing Tennessee on the committee, both stated in convention that while they dissented from the report, they would take some other opportunity of laying their views before the public, and admitted that the reasons for taking the vote without debate were satisfactory, and, in committee, consented that the previous question should be moved. The previous question was sustained and the resolutions adopted. Major Donelson then moved a reconsideration of the vote adopting the resolutions, stating that he had at the meeting of his delegation voted in favor of them, for the purpose of moving a reconsideration. The president stated that as the vote had been taken by States, each State giving one vote, a reconsideration could only be made by a State—that the convention had no knowledge, and could have none, of the votes of individual delegates in their private conferences—and that, as the State of Tennessee had voted in the minority, her delegation, and much less one member of it, could not move a reconsideration."—*The Nashville American*, Nov. 20, 1850.

the South. By the dismemberment of Texas. By the abolition of the slave trade, and the emancipation of slaves carried into the District of Columbia for sale.

“*Resolved*, That we earnestly recommend to all parties in the Slave-holding States, to refuse to go into or countenance any National convention, whose object may be to nominate candidates for the presidency and vice-presidency of the United States, under any party denomination whatever, until our constitutional rights are secured.

“*Resolved*, That in view of these aggressions, and of those threatened and impending, we earnestly recommend to the slave-holding States, to meet in a congress or convention to be held at such time and place as the States desiring to be represented, may designate, to be composed of double the number of their senators and representatives in the Congress of the United States, intrusted with full power and authority to deliberate and act with a view and intention of arresting further aggression, and if possible of restoring the constitutional rights of the South, and if not to provide for their safety and independence.

“*Resolved*, That the president of this convention be requested to forward copies of the foregoing preamble and resolutions to the governors of each of the slave-holding States of the Union, to be laid before their respective legislatures at their earliest assembling.”

The convention adjourned *sine die* November 18, 1850. A few words will sum up its history. During the fall and winter of 1849-50, the outlook seemed to indicate success, and the prospects up to the early spring of 1850 were full of encouragement to the leaders of the movement. In most of the Southern States, many of the most prominent men in both political parties expressed themselves favorably toward it; and in a few instances, public opinion rang clear upon the issue. Already several of the State legislatures had rendered a favorable verdict. Even in those States never represented in the convention, namely, Maryland, Louisiana, Missouri, Kentucky and North Carolina, some sort of encouragement was promised. But so far as known, delegates were not actually appointed except in the case of North Carolina. The Kentucky Senate killed a resolution of endorsement in the spring of 1850, which seems to have ended her part in the matter; and in Maryland somewhat the same fate overtook the movement. Governor Johnson, of Louisiana, in a published letter upon the subject, said:

"It is with a feeling of lively satisfaction that I see the South poisoning herself in a lofty and patriotic attitude in defense of her rights. In my opinion, there is little reason to believe there will be any cessation of hostilities at the North, and I earnestly recommend to the State of Louisiana that she promptly take the necessary steps to have delegates at Nashville."³⁰

At a meeting of the Southern Senators, held in Washington, April 16th, at which all but four were present, a full recognition of the necessity for holding a convention was unanimously recognized.³¹ But by this time a persistent state of indifference among many Democrats, and a growing disaffection among the Whigs generally, had grown to threatening proportions. To counteract this tendency much zeal was spent by those deeply interested. Open letters were written by Southern representatives in Congress to their constituents. In some sections, speakers addressed the people in stirring words of eloquence. The sympathy and support of the West was sought and promised. Hon. John W. Davis, ex-Speaker of the House of Representatives, in reply to an invitation to attend the convention, expressed himself as sorry for having it reach him so late that he could not attend. He said:

"Had it reached me in time, I should certainly have given it my attention with a view to serving the South by attempting to bring the West to the rescue of the South in maintaining the constitution against the attacks made upon it at the North. I earnestly urge, however, that the South forego a threatening aspect for a time at least. In my opinion, the West will stand for the constitution. I think the South has very just cause to feel deeply interested in the matter of wanton disregard of the constitution practiced by the Northern fanatics. I believe the Government is with the South."³²

In those days, when confidence and hope reached the high water mark, the opinion was frequently expressed in different parts of the country, "that upon this vital question to the South there is perfect union of parties." These rumors caused a state of alarm at the North of sufficient intensity in some places to call forth public meetings of such a character and in such numbers as

³⁰ *Montgomery Advertiser*, Feb. 6, 1850.

³¹ *Ibid*, April 16, 1850.

³² *New Orleans Delta*, Dec. 3, 1850.

to justify the conviction that Northern representatives in Congress would be forced by public sentiment among their constituents to submit to the Southern demands in regard to the territorial question.³³ The excitement and apprehension was sufficient at one time to cause the circulation of the report that the president would issue a proclamation about the middle of May warning the citizens of the Southern States not to take part in any treasonable action; and that General Scott would be ordered to the neighborhood of Nashville with a military force to put down any movement against the government.³⁴ The satisfaction of the Southern leaders also reached its climax then, and their confidence found expression in the prediction that the convention would accomplish its chief aim so effectually, even before it could assemble, that there would remain little necessity for actually holding the meeting. Congress, they thought, would interpret the bent of public sentiment throughout the Union, and yield to the South upon the questions agitating the nation. Some expressed the belief that "the great, patriotic, conservative heart of the nation will respond to the appeal, and the whole question will be finally and satisfactorily settled if the States are fully represented in the convention."

But during this period of uncertain promise, the movement passed its palmiest days. In most instances, the favorable action of the State legislatures and the poorly attended conventions proved to be hasty and unrepresentative of the whole people's attitude; for the fact soon became apparent, as the pulse of the Southern masses was tested more accurately, that the plan must be a signal failure so far as the accomplishment of its original intent was concerned. The irregularity in the method of the selection of delegates, and the indefinite instructions given them, were further indicative of the fact that the people were not deeply concerned and were disposed to await developments. This was especially true of the leading representatives of the Whig party. Still others were never quite decided in their opinions as to the motives inspiring the movement and the objects to be attained.³⁵

³³ *Montgomery Advertiser*, April 24, 1850.

³⁴ *Montgomery Advertiser*, March 27, 1850.

³⁵ Governor Brown, of Florida, in reply to an address from his State's representatives in Congress requesting him to cause the selection of delegates, said: "I have no right to recognize such a convention, and, further-

Extreme conservatism in a few instances, bitter ultraism on the part of some,³⁶ party jealousy and distrust, militated much more against the success of the convention. At a public meeting in Montgomery, May 13, Messrs. Wm. L. Yancey and Jefferson Noble pled with all true lovers of the South to stand together upon this issue. "Already," said Mr. Noble, "the opposition to it and the disunion of the South upon this great question had worked us more real harm than all the abolitionists at the North combined."³⁷

The Whig press, as the time for the assembling of the convention approached, became, almost universally, loud and bitter in its condemnation. "Ultraism," "treason," "traitor" and "rebellion" were common epithets. Its originators were often held up to the public as ambitious demagogues and dissatisfied politicians seeking to gratify their own selfish ambition, and ready in their reckless desperation to destroy the constitution and the Union.

Mr. Clay's ability and reputation kept many Whigs hopeful that Congress would settle the territorial question satisfactorily. Besides, Mr. Webster, in his 7th of March speech, by his conciliatory attitude, and by his cordial support of Mr. Clay, aided in the reactionary sentiment among Southern men. On the 31st of March, Mr. Calhoun died. When his part in getting up the convention is borne in mind, there can be no doubt that his death was an inestimable loss to the movement.

Whatever possibility for the union of the whole South upon this issue there might have been vanished when Congress passed the compromise measures; that was, indeed, the final stroke that

more, believe it to be revolutionary and contrary to the spirit of the constitution, which says, "no State shall enter into any treaty, alliance or confederation."—*Montgomery Journal*, March 17, 1850.

³⁶ In a pamphlet, entitled "The North and the South," published at Columbia, South Carolina and circulated throughout the Southern States, the view of the situation taken by the extremists was set out in five propositions:

"First, there is a controversy between the North and the South.

"Second, this controversy cannot amicably be settled.

"Third, a collision is inevitable.

"Fourth, immediate dissolution of the Union—a Southern Confederacy and a taking possession of certain Territories by force of arms, is the only remedy.

"Fifth, that this should be the object and action of the Nashville convention."—*Montgomery Journal*, April 23, 1850.

³⁷ *Montgomery Journal*, April 26, 1850.

killed this forlorn hope. A majority of the people in the South accepted this adjustment, no doubt, in a spirit of sacrifice, for the common good. It will be remembered that President Sharkey refused to call the November session on the ground that, while not all that he had wished, the compromise was the best that might be expected. Following his example, few if any Whigs or conservative Democrats attended. In the elections that followed in the next few months, a great majority of the Southern people ratified the action of Congress.

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